

MEMORANDUM

April 1, 1964

TO: Mr. J. Lee Rankin
General Counsel

FROM: Bert W. Griffin

SUBJECT: LETTER of HENRY WADE dated March 25, 1964, CONCERNING
Sgt. J. J. DEAN

1. HISTORY OF SESSIONS WITH DEAN.

Wade states that I had two sessions with Sgt. Dean. I first talked with Dean at about 9:00 P.M. Tuesday March 24. This was when I called him into my office from the U. S. Attorney's waiting room and began to take his deposition. The only conversation I had with him at this time was simple amenities of personal greetings and all of this was in the presence of the court reporter. I may have some time within the half-hour prior to calling Dean in walked out from my office to the U. S. Attorney's waiting room and handed him copies of all the statements which we had from him and all of the FBI interview reports which related to his testimony. I do not remember whether I handed him those papers or whether Mr. Elbert did. In any event, any conversation that I might have had with him at that time was no more than a greeting and a request to read over the papers I was handing him so that he could indicate when his deposition was taken whether he had any additions or corrections to make. His deposition was a continuous one up until the point that I excused the court reporter from the room when I had finished asking him all of the questions which I thought were relevant.

2. STATEMENT THAT I CALLED DEAN A LIAR.

I did not call Dean a liar at any time. In fact, as my earlier memorandum indicates, I believed that Dean was an honorable person who would respond favorably to an appeal based on respect and courtesy. I did state that I did not believe him, but I further added that my own personal belief would not be determinative in this matter and it might well be that other persons reading his testimony and examining all the records would not agree with me.

3. THAT I TOLD DEAN HE WAS NOT TELLING THE TRUTH.

I did make that statement to Dean, but it was said in the context indicated in paragraph two and further amplified in my other memorandum. I might re-emphasize at this point that I took considerable pains to explain to Dean that I felt that I understood why he was coloring his testimony and that I believed him to be a basically honest and truthful person and I thought that he was probably an excellent police officer.

4. THAT I TOLD DEAN I WAS GOING TO FILE MURDER CHARGES AGAINST HIM.

I believe that I did explain to Dean at the very beginning of the deposition before he was sworn that the Commission had no power to prosecute for any crime, that we were only interested in getting the truth, and that the only crime that could be committed in connection with our investigation was perjury. This is the only time that I have any substantial recollection of even using the word perjury. I have tried to think if, during our off the record conversation, I made any mention of the word perjury which could not be substantiated by him or deliberately distorted since I did attempt to assure him that he should not fear my conclusions about his testimony. I don't recall ever using the word perjury off the record and I most certainly did not tell him that he was going to be prosecuted for anything.

5. THAT I TOLD HIM HE WAS NOT ENTITLED TO A LAWYER SINCE HE HAD WAIVED THAT RIGHT.

The only reference I made off the record to counsel was that, if Dean desired to amend his testimony in a substantial way but feared any consequences of such a change, I believed that the Commission would be most happy to discuss means of affording maximum protection for him. I suggested to him that, if he were going to make such a substantial amendment, it might be best to do this through an attorney so that he would not be in the position of having to make a contradictory statement before he knew that he had adequate protection. In taking the depositions of every witness it was my practice to specifically state to them that they had a right to counsel. In most instances I even went so far as to assure them that there was nothing unusual about having an attorney and that we welcomed such a practice. This practice of advising witnesses of their right to counsel was done on my own initiative and was not included as part of the regular format which Mr. Hubert prepared prior to our going to Dallas.

6. THAT I INDICATED TO DEAN I WISHED TO RE-INTERVIEW HIM OR TAKE A FURTHER DEPOSITION.

I did not tell Dean that I wished to interview him again or take a further deposition. I asked Dean to forward to us certain materials which he said he would provide. I, of course, suggested that he might wish to reconsider his present testimony. I don't know which city attorney Dean told to contact; however, the next day, Officer W. J. "Blackie" Harrison did appear with his attorney for a deposition. That attorney was Assistant City Attorney McMasters. Mr. McMasters did not even mention Dean's name on that day that I recall. I did receive a telephone call from McMasters at 1:30 P.M. Thursday afternoon with respect to Dean. I was in Fort Worth at the time and received a notation that a McMasters had called when I returned from Fort Worth at about 8:00 P.M. Baruford Sanders called McMasters on

Friday and made arrangements for Dean to come in on Tuesday with his supplementary materials. Up until Friday morning it had been my expectation that Dean would send his materials to us via someone else in the police department or might simply come over himself and leave them in the office. I had no intention of taking any further testimony from him before returning to Washington. The decision to have him appear on Tuesday before Mr. Hubert resulted from the fact that we believed it would be important to have him identify the material, which he was bringing over on the record and to state where they came from.

Griffin/jv/4-1-64
CC: Mr. Williams
Members of Commission